

SENATE BILL 509

G2, L2

11r2006
CF HB 1090

By: **Senator Peters**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2011

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Ethics Reforms**

3 FOR the purpose of specifying that the ethics provisions required to be enacted by
4 Prince George's County shall contain certain provisions; requiring that the
5 provisions prohibit a person from lobbying the county government for
6 contingent compensation; requiring that the provisions prohibit the county
7 government from issuing a credit card to certain persons; requiring that the
8 provisions prohibit an elected county official from soliciting certain persons to
9 enter into a business relationship with, or provide anything of monetary value
10 to, certain other persons; providing for the construction of certain provisions
11 enacted in accordance with this Act; requiring that the provisions establish a
12 board of ethics composed of a certain number of members and having an
13 executive director; ~~requiring the provisions to provide for an ethics advisor~~ who
14 shall perform certain duties; requiring the provisions to provide for certain
15 meetings of the board of ethics; and generally relating to ethics reform in Prince
16 George's County.

17 BY repealing and reenacting, with amendments,
18 Article – State Government
19 Section 15–807(d)
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2010 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article – State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 15–808
 2 Annotated Code of Maryland
 3 (2009 Replacement Volume and 2010 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article – State Government**

7 15–807.

8 (d) (1) [In] **THIS SUBSECTION APPLIES TO** Prince George’s County[,
 9 “local].

10 (2) **“LOCAL official”** includes:

11 [(1)] (I) each member of the Board of License Commissioners;

12 [(2)] (II) the chief inspector and any other inspector of the Board of
 13 License Commissioners;

14 [(3)] (III) the administrator of the Board of License Commissioners;
 15 and

16 [(4)] (IV) the attorney to the Board of License Commissioners.

17 (3) **THE CONFLICT-OF-INTEREST PROVISIONS REQUIRED UNDER**
 18 **§ 15–803(A)(1) OF THIS SUBTITLE:**

19 (I) **SHALL PROHIBIT THE COUNTY GOVERNMENT FROM**
 20 **ISSUING A CREDIT CARD TO AN ELECTED COUNTY OFFICIAL OR A MEMBER OF**
 21 **THE COUNTY SCHOOL BOARD; AND**

22 (II) **SHALL PROHIBIT AN ELECTED COUNTY OFFICIAL FROM**
 23 **DIRECTLY OR INDIRECTLY SOLICITING A PERSON TO ENTER INTO A BUSINESS**
 24 **RELATIONSHIP WITH OR PROVIDE ANYTHING OF MONETARY VALUE TO A**
 25 **SPECIFIC INDIVIDUAL OR ENTITY, IF THE PERSON BEING SOLICITED IS SEEKING:**

26 1. **THE SUCCESS OR DEFEAT OF COUNTY**
 27 **LEGISLATION;**

28 2. **A COUNTY CONTRACT; OR**

29 3. **ANY OTHER COUNTY BENEFIT.**

1 **(4) ANY CONFLICT-OF-INTEREST PROVISION ENACTED IN**
 2 **ACCORDANCE WITH PARAGRAPH (3)(II) OF THIS SUBSECTION MAY NOT BE**
 3 **CONSTRUED TO AFFECT THE VALIDITY OF ANY LEGALLY ENACTED**
 4 **REQUIREMENT OR CONDITION, PROPOSED AND ADOPTED ON THE PUBLIC**
 5 **RECORD AT A PUBLIC HEARING, THE PURPOSE OF WHICH IS TO MITIGATE THE**
 6 **IMPACT OF A DEVELOPMENT ON THE PROPERTY OWNERS IN THE AREAS**
 7 **SURROUNDING THE DEVELOPMENT, INCLUDING:**

8 **(I) AN ADEQUATE PUBLIC FACILITIES REQUIREMENT;**

9 **(II) A MINORITY BUSINESS REQUIREMENT; OR**

10 **(III) A COMMUNITY BENEFIT REQUIREMENT.**

11 **~~(4)~~ (5) THE LOBBYING PROVISIONS REQUIRED UNDER §**
 12 **15-803(A)(3) OF THIS SUBTITLE SHALL PROHIBIT A PERSON FROM BEING**
 13 **ENGAGED FOR LOBBYING PURPOSES FOR COMPENSATION THAT IS DEPENDENT**
 14 **IN ANY MANNER ON THE OUTCOME OF EXECUTIVE OR LEGISLATIVE ACTION**
 15 **BEFORE THE COUNTY GOVERNMENT.**

16 **~~(5)~~ (6) THE COUNTY'S ETHICS ENACTMENTS SHALL PROVIDE**
 17 **FOR:**

18 **(I) A COUNTY BOARD OF ETHICS COMPOSED OF ~~SEVEN~~ FIVE**
 19 **MEMBERS APPOINTED BY THE COUNTY EXECUTIVE, SUBJECT TO THE ADVICE**
 20 **AND CONSENT OF THE COUNTY COUNCIL;**

21 **(II) ~~A FULL-TIME~~ AN EXECUTIVE DIRECTOR OF THE BOARD**
 22 **OF ETHICS; AND**

23 **(III) ~~AN ETHICS ADVISOR~~ WHO:**

24 **1. SHALL MEET INDIVIDUALLY WITH EACH ELECTED**
 25 **OFFICIAL OF THE COUNTY AT LEAST ANNUALLY, ~~AND SHALL CONSULT MORE~~**
 26 **~~FREQUENTLY IF INDICATED,~~ TO ADVISE THE OFFICIAL REGARDING THE**
 27 **REQUIREMENTS OF ANY APPLICABLE ETHICS LAW, RULE, OR STANDARD OF**
 28 **CONDUCT;**

29 **2. SHALL ASSIST EACH ELECTED OFFICIAL OF THE**
 30 **COUNTY IN PREPARING ANY AFFIDAVIT OR OTHER DOCUMENT REQUIRED TO BE**
 31 **FILED UNDER THE COUNTY'S ETHICS ENACTMENTS;**

32 **3. SHALL CONDUCT ETHICS-RELATED BRIEFINGS**
 33 **FOR THE BENEFIT OF ELECTED OFFICIALS OF THE COUNTY; AND**

1 4. MAY PROVIDE INFORMATION TO ANY PERSON
2 REGARDING LAWS, RULES, AND OTHER STANDARDS OF ETHICAL CONDUCT
3 APPLICABLE TO ELECTED OFFICIALS OF THE COUNTY; AND

4 (III) THE COUNTY BOARD OF ETHICS TO MEET AT LEAST TWO
5 TIMES EACH YEAR.

6 15-808.

7 (a) If the Ethics Commission determines that a county or municipal
8 corporation has not complied with the requirements of this Part I, the Ethics
9 Commission may petition a circuit court with venue over the proceeding for
10 appropriate relief to compel compliance.

11 (b) The circuit court may grant any available equitable relief.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.